

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON**

BENNY FITZWATER, CLARENCE BRIGHT,
and TERRY PRATER, on behalf of themselves
and others similarly situated,

Plaintiffs,

v.

CONSOL ENERGY, INC., CONSOLIDATION
COAL CO., FOLA COAL CO., LLC, CONSOL
OF KENTUCKY, INC. and KURT SALVATORI,

Defendants.

EMMETT CASEY, JR., CONNIE Z. GILBERT,
ALLAN H. JACK SR., and ROBERT H. LONG,
on behalf of themselves and others similarly
situated,

Plaintiffs,

v.

CONSOL ENERGY, INC., CONSOLIDATION
COAL CO., CONSOL PENNSYLVANIA COAL
CO., LLC, and KURT SALVATORI,

Defendants.

No. 2:16-cv-9849

Hon. John T. Copenhaver

No. 1:17-cv-3861

Hon. John T. Copenhaver

NOTICE OF DEPOSITION FOR KIRBY HALL

PLEASE TAKE NOTICE that Defendants will take the deposition of corroborating witness Kirby Hall on December 8, 2020, at 8:00 a.m. Central/9:00 a.m. Eastern.

PLEASE TAKE FURTHER NOTICE THAT this deposition will be conducted remotely, pursuant to Federal Rule of Civil Procedure 30(b)(4), using audio-visual conference technology. The court reporter will record electronically the deposition from a location separate from the witness. Counsel for the parties and their clients will be participating from various, separate locations. The court reporter, who is a qualified officer authorized to administer oaths, will

administer the oath to the witness remotely.

The witness will be required to provide government-issued identification satisfactory to the court reporter, and this identification must be legible on camera. Each participating attorney may be visible to all other participants, and their statements will be audible to all participants. All exhibits will be provided simultaneously and electronically to the witness and all participants.

Counsel for all parties will be required to stipulate on the record that they consent to this manner of deposition and that they waive any objections to this manner of deposition, including any objection to the admissibility at trial of this testimony based on this manner of deposition.

The deposition shall continue during usual business hours until completed.

This deposition will be used for any purpose allowed under the Federal Rules of Civil Procedure in the trial of the above-captioned matter.

You may attend to protect your interests as they appear herein.

Dated: December 1, 2020

Respectfully submitted,
CONSOL ENERGY INC.,
CONSOLIDATION COAL COMPANY,
FOLA COAL COMPANY, LLC, and
KURT SALVATORI,

By: /s/ Michael D. Mullins
One of Defendants' Attorneys

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CHARLESTON DIVISION**

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Hon. John T. Copenhaver

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CERTIFICATE OF SERVICE

The undersigned, one of the attorneys for Defendants, hereby certifies that on December 1, 2020, he caused a true and correct copy of the foregoing **Notice of Deposition** to be served via electronic mail upon counsel for Plaintiffs, as follows:

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/s/ Michael D. Mullins

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